

UNITED STATES DISTRICT COURT

District of Massachusetts

Elaine Chao, Secretary of Labor,
 U.S. Department of Labor,
 V.

SUMMONS IN A CIVIL ACTION

David J. Howe, Landscape Design, Inc.
 and Landscape Design, Inc. Profit
 Sharing Plan

CASE NUMBER:

2:04-cv-12140-MEL

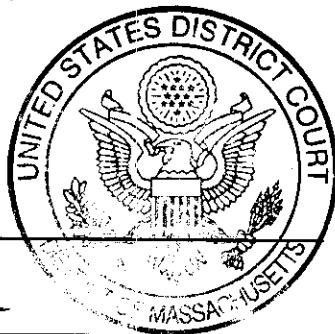
TO: (Name and address of Defendant)

David J. Howe
 8 Reeves Street
 Sudbury, Massachusetts 01776-2114

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Attorney Gregory A. Splagounias
 Office of the Regional Solicitor
 JFK Federal Building - Room E-375
 Boston, Massachusetts 02203

an answer to the complaint which is served on you with this summons, within 30 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



TONY ANASTAS

CLERK

A handwritten signature in black ink that appears to read "G. Anastas".

(By) DEPUTY CLERK

DEC 12 2004

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	12/15/04
NAME OF SERVER (PRINT) Barbara Stacy Smith	TITLE	Constable
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input checked="" type="checkbox"/> Other (specify): By leaving at his last known and usual place of abode., to wit: 28 Reeves Street, in said Sudbury, MA.		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>12/15/04</u> Date</p> <p><u>Barbara Stacy Smith</u> Signature of Server Barbara Stacy Smith, Constable and Disinterested Person <u>47 Harvard Street, Worcester, MA 01609</u> Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.